

**ASSEMBLY BILL**

**No. 1660**

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**Introduced by Assembly Member Pavley  
(Coauthors: Assembly Members Hancock, Jones, Laird, and  
Nation)**

February 22, 2005

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An act to add Article 1.5 (commencing with Section 44810) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1660, as introduced, Pavley. Vehicular air pollution: alternative fuel vehicle purchasing program.

Existing law provides for the High Polluter Repair or Removal Program, a voluntary vehicle retirement program that requires the Department of Consumer Affairs to establish and implement a program for the repair or replacement of high polluters. Existing law requires the program to provide for the payment to the owner of a high polluter of up to 80% of the total costs of repair, not to exceed \$450, or the market value of a high polluter being removed.

This bill would create the California Energy Efficient Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy-efficient vehicles, as defined, by local and state agencies through a group-purchasing program. This bill would require the Department of General Services to negotiate the lowest possible purchase price, with one or more vendors, for energy-efficient vehicles on behalf of state and local agencies that are interested in obtaining those vehicles. This bill would require the director of the department to establish an advisory committee by February 15, 2006, meet with the advisory committee, notify all

affected entities about the purchasing program, and negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy-efficient vehicles at the lowest possible price from one or more reliable vendors. This bill would require the department to administer the program in accordance with regulations adopted by the department, including a regulation to recover actual administrative costs from program participants.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 1.5 (commencing with Section 44810) is added to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, to read:

Article 1.5. Energy Efficient Vehicle Group Purchase  
Program

44810. This article shall be known, and may be cited as, the California Energy Efficient Vehicle Group Purchase Program.

44811. It is the intent of the Legislature that the state encourage the purchase of energy-efficient vehicles by local and state agencies through a group-purchasing program that uses the purchasing leverage of state and local agencies to lower the purchase price of those vehicles.

44812. For the purposes of this article, the following definitions apply:

(a) "Department" means the Department of General Services.

(b) "Director" means the Director of General Services.

(c) "Energy efficient vehicle" means either of the following:

(1) A vehicle that meets California's super ultra-low emission vehicle (SULEV) standard for exhaust emissions and the federal inherently low-emission vehicle (ILEV) evaporative emission standard, as defined in Part 88 (commencing with Section 88.101-94) of Title 40 of the Code of Federal Regulations.

(2) A hybrid vehicle or an alternative fuel vehicle that meets California's advanced technology partial zero-emission vehicle (AT PZEV) standard for criteria pollutant emissions.

(d) "Local agency" means any governmental subdivision, district, public and quasi-public corporation, joint powers agency, public agency or public service corporation, authority, agency, board, commission, town, city, county, city and county, fire district, special district, school district, public utility, community college, state college, the University of California, or municipal corporation, whether incorporated or not or whether chartered or not, or any other public entity.

(e) "State agency" means any department, division, board, bureau, commission, or other authority of the State of California.

44813. (a) There is established in the Department of General Services an energy-efficient vehicle group purchase program. The department shall negotiate the lowest possible purchase price, with one or more vendors, for energy-efficient vehicles on behalf of state and local agencies that are interested in obtaining those vehicles.

(b) In administering the program, the Director of General Services shall do all of the following:

(1) No later than February 15, 2006, establish an advisory committee comprised of representatives or organizations eligible under this program, including, but not limited to, the California League of Cities, the California State Association of Counties, and the California School Boards Association.

(A) The committee shall meet no later than 30 days after all members are appointed.

(B) The committee shall consult with the department regarding the design of the program and other matters relating to the purchase of energy-efficient vehicles, no later than 120 days after its initial meeting.

(2) Notify all affected agencies about the purchasing program through the department's Internet Web site and publications, the Internet Web sites of appropriate associations, governing boards of local agency associations, and other cost-effective means.

(3) No later than 180 days after consultation with the committee pursuant to subparagraph (B) of paragraph (1) of subdivision (b), the director shall negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy-efficient vehicles at the lowest possible price from one or more reliable vendors.

(4) Include in a provision in the vendor contract allowing any state or local agency to purchase energy-efficient vehicles directly from the vendor at the contract price.

(c) The department shall administer the program in accordance with regulations adopted by the department, including a regulation to recover actual administrative costs from program participants.

(d) Nothing in this article shall be construed as superseding or precluding any similar program that is administered by a district, any other public agency, or any other person.

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**CORRECTIONS:**

**Heading - Authors Line 2, Digest - Pages 1 and 2. Text - Pages 1,2, and 3.**

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